

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

ALAN RHEINGOLD,

Plaintiff,

08 CV 0084 (WCC)

- against -

HARRISON POLICE OFFICER, J. PARRELLO
TOWN/VILLAGE OF HARRISON, DEBORAH
RHEINGOLD, a/k/a DEBORAH GIERSEWSKI,
Defendants..

PLAINTIFF'S AFFIDAVIT
IN OPPOSITION

-----X

STATE OF NEW YORK ()

COUNTY OF KINGS () SS.:

ALAN RHEINGOLD, being duly sworn, deposes and says:

1. I am the Plaintiff in the within action the ex-husband of Defendant DEBORAH RHEINGOLD, a/k/a DEBORAH GIERSEWSKI, hereinafter referred to as "Deborah G." and as such, I am fully familiar with all facts stated herein.

2. I submit this Affidavit in opposition to the motion by the municipal Defendants pursuant to F.R.C.P. 12 (c) to dismiss this action against them.

3. By way of background, Defendant DEBORAH G. and I married in

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Plaintiff,

08 CV 0084 (WCC)

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2. I submit this Affidavit in opposition to the motion by the municipal Defendants pursuant to F.R.C.P. 12 (c) to dismiss this action against them.

3. By way of background, Defendant DEBORAH G. and I married in

1994 and had two (2) children together, Zoe Madison Rheingold, born January 14, 1996 and Sydney Megan Rheingold, born December 16, 1997. We were divorced by Judgment of Divorce of the Supreme Court Kings County, dated August 31, 2000.

4. Pursuant to our Judgment of Divorce, Defendant DEBORAH G. and I have shared joint legal and joint physical custody of our two (2) daughters. The current arrangement, which has existed for some time now, involves our two (2) daughters alternating households with each parent a week at a time. After our divorce, from 2003-2008, Defendant DEBORAH G. and I have been involved in protracted litigation concerning our daughters. Initially, the litigation centered around Defendant DEBORAH G.'S relocation with our children from Kings County to Westchester County, and as a result thereof, both Defendant DEBORAH G. and I reside in Westchester County. More recently, the litigation involved each parent's requests to modify the joint physical and legal custody arrangement; however these proceedings were settled with an appointment of a parent coordinator, who is to resolve disputes between my ex-wife and I.

5. On or about October 19, 2006, my ex-wife initiated a family offense petition against me in the Family Court, Westchester County, which resulted in my being served with a Temporary Order of Protection on October 20, 2006, (a

copy of which is annexed hereto as Exhibit "1") by the Harrison police, outside my Westchester home, in front of my neighbors, my wife and my stepchildren, at approximately 5:15 P.M. or about fifteen (15) minutes before Plaintiff was obligated to deliver my two daughters to me, for my custodial/parenting time, pursuant to our joint legal and physical custody agreement. My ex-wife initiated this Family Court, Westchester County family offense proceeding, not because of any personal fear for herself or for my daughters, but in an attempt to keep me away from my daughters, despite having been admonished firstly, by Supreme Court J.H.O Leon Deutsch and later by Supreme Court, Kings County Justice Michael A. Ambrosio, not to take any action regarding my custody and parental rights of Sydney and Zoe in Westchester Family Court or any other Court, but for the Supreme Court, Kings County. In addition, to violating these Orders and directives, my ex-wife, blatantly lied and fraudulently misled the Westchester Family Court Judge in the family offense proceeding that she filed on October 19, 2006, by stating that she had physical custody of our two (2) children and I merely had visitation rights with my children. My ex-wife was fully aware of our Stipulation of Settlement and Judgment of Divorce and all subsequent Orders issued by the Supreme Court, Kings County and was been reminded on many occasions by Justice Ambrosion and J.H.O. Deutsch that Defendant Deborah G. and I shared joint legal and physical custody of our children. As a result of my ex-

wife's fraudulent and false accusations, the Family Court, Westchester County, suspended my overnight "visitation" and directed me to return the children to my ex-wife at 8:30 P.M. at the conclusion of each visit. On page 2 of the ex-parte Westchester Family Court Order, dated October 19, 2006, adjacent to a paragraph identified as "99", I was directed to

"Observe: such other condition(s) as are necessary to furnish the purposes of protection: Alan C Rheingold (dob: 04/19/61) THE RESPONDENT SHALL RETURN THE CHILDREN AT 8:30 PM AT THE CONCLUSION OF EACH VISIT AND WILL HAVE OTHER VISITS AS ARRANGED. OVERNIGHT VISITATION IS SUSPENDED.:

Noteworthy is the fact that nowhere in this October 19, 2006 Order does it state the location where I was to return my children to their mother. On Saturday October 21, 2006, when I had an early morning appointment at my attorneys' office, my ex-wife, after dropping off my daughters at my Westchester residence at 10:20 A.M. returned to my home at 10:40 A.M., and kidnaped the children from my home and would not return them until 2:40 P.M., when she was ordered to return them to my custody by Sgt. Grant of the Harrison Police Department. The aforesaid wrongful behavior deprived my children of spending a day at a family get together in New Jersey, which the children were looking forward to. My new wife appropriately took no action in front of the children when she was threatened by my ex-wife's husband on Saturday at 10:40 A.M. with

police action as she felt that our children have been exposed to too much police action. I later learned that immediately after wrongfully removing my daughters from my home, my ex-wife proceeded to take my daughters to the Harrison Police Station, where she filed a report in an attempt to justify her actions. My ex-wife mislead the Harrison police into believing that there was an existing Court Order precluding her from dropping off and leaving my children with my wife, and stated that I was required to be present at all times when my children were at my residence. This statement was blatantly false, and after I provided the police with this Court's signed Orders to the contrary, the police ordered my ex-wife to immediately return my daughters to my residence. The police refused to arrest my ex-wife for this flagrant violation of my joint legal and physical custody order and for her continued harassment of me. I was told by the police that mothers were not arrested by the police in Harrison, NY. On Sunday morning October 22, 2006, I picked up my daughters from my ex-wife's home at 10:00 A.M. and returned with my daughters to my home. My ex-wife, accompanied by her husband, proceeded to drive up and down my block (Lincoln Avenue) from shortly after 10:00 A.M. until around 10:47 A.M., when she lodged a complaint against me that my car was improperly parked in front of my home at 11 Lincoln Avenue, West Harrison, New York, while I was unloading my vehicle. The Harrison Police Department did respond, and my daughters witnessed them giving me a warning

notice about unloading my vehicle. Defendant Deborah G. Plaintiff was not finished with her stalking and harassment for the morning of October 22, 2006. My ex-wife accompanied by her husband, continued to repeatedly drive up and down my block until around 12:30 P.M., when she called the police when she saw my children playing on the stoop of our home, and requested a welfare check. As a result thereof, the Harrison Police Department once again dispatched a patrol car to my home, and Police Office Richie Abbate, I.D. 135 took a report, and found that the children were in good health and unharmed. Officer Abbate, then proceeded to take my harassment deposition against my ex-wife, but refused to arrest my ex-wife for stalking and harassment, which my attorneys advise are crimes that could be charged under the New York State Penal Law. At about 9:45 P.M. on October 22, 2006, I was visited at home, by two (2) caseworkers from the Westchester County Emergency Child Protective Services, who advised me that a complaint had been lodged against my wife and I by my ex-wife. They questioned my wife and I, woke up my stepdaughter Emily, checked on both Lisa and Emily and found absolutely nothing to warrant this complaint. Ultimately Westchester County Family Services determined that all of my ex-wife's complaints against my wife and I were unfounded.

On Friday October 26, 2006, after picking my children at 3:00 P.M. from Preston Elementary School, my children were to be with me until 8:30 P.M.,

pursuant to the Order in place. My ex-wife's and my attorneys, acting on our behalf worked out an agreement to facilitate our daughters attending a Halloween costume party at their school, Preston Elementary School, located at 50 Taylor Avenue, West Harrison, NY. This agreement, which was confirmed in a letter, dated October 27, 2006, faxed from my ex-wife's attorney, Ursula A. Gangemi, Esq. to my attorneys. (Exhibit " 2 ") reads as follows:

"October 27, 2006

VIA FACSIMILE ONLY #718-875-6797

Steven Bernstein, Esq,
189 Montague Street, Suite 303
Brooklyn, NY 11201:

Re: Rheingold v. Rheingold:

Dear Mr. Bernstein:

Please be advised that I have confirmed with my client that she will be dropping off the children's costumes at your client's residence at 6:30 pm and will pick up the children from the school at 8:30 pm

Very truly yours,

S/

Ursula A. Gangemi, Esq.

UAG/das

cc: Robert Nicholson, Esq."

My attorneys faxed a copy of Ms. Gangemi's October 27, 2006 to me, shortly after their receipt of same from my ex-wife's attorney. As per the aforesaid

letter, my ex-wife dropped off the children's costumes at my residence at approximately 6:30 P.M. and I took our children dressed in their costumes to their Halloween party at the Preston Elementary School in West Harrison. My ex-wife's husband Steven Gierszewski appeared at the Halloween party with one of our daughter's friend at approximately 7:00 P.M., until approximately 8:30 P.M. when I delivered the children to him as per our understanding and agreement. Mr. Gierzweski, who had purchased raffle tickets for my daughters, stood with my daughters and observed the raffle that was taken place at 8:30 P.M. My ex-wife never showed up at the Halloween party and it was obvious that Mr. Gierzweski was at the school not only to observe the Halloween party at school, but to pick up my daughters as he done numerous times in the past. At approximately 8:35 P.M., I received a frantic and angry call on my cell phone from my ex-wife. Deborah G. stating, something to the effect that if I didn't get our girls home immediately, I would be arrested. I immediately took my daughters and drove the girl's in a torrential downpour to their mother's home at 197 Woodside Avenue, West Harrison, NY. I dropped Zoe and Sydney off at their mother's home at approximately 8:45 P.M.

At approximately 9:30 P.M. on October 27, 2006, two (2) police cars came to my home; two (2) officers from the Harrison Town Police Department knocked on my door, stepped into my home and one of the police officers advised

me that they were there to arrest me for Criminal Contempt for violating a Westchester Family Court Order because of complaint filed by Deborah G., (after the children were with her) for returning my daughters late. I told the officers that this must be a joke. After the officers were in my home, I called my attorney, after he spoke to one of the officers, he advised me to show the officers the Westchester Family Court Order, dated October 19, 2006, and the letter received by his office from my ex-wife's attorneys. My attorney and I both advised the police officers that the Family Court Order, dated October 19, 2006 did not specify the location where the children were to be returned to my ex-wife and that the temporary order permitted the parties to make arrangements concerning my visits with my daughters. I handed to the police officers copies of the Family Court Order as well as my ex-wife's attorney's October 27, 2006 letter (Exhibit "2"). I protested my innocence to the police officers, telling them I did not violate any order of any court and told the officers that this arrest must be a cruel joke. I detailed to the officers my agreement and arrangements made with my ex-wife for that evening, and what had occurred that evening relating to our daughters. I begged the officer's to question, my ex-wife's attorney, and/or even my ex-wife to verify the veracity of her attorneys' October 27, 2006 letter. I also begged the officers to speak to my ex-wife's husband and other parents at my daughters' school to verify that the girls were with Mr. Steven Gierzweski at 8:30 P.M. that evening as proof

that I did not violate any order. The officers looked at my documents, however, they refused my request that they investigate my ex-wife's complaint any further and also refused to speak to my ex-wife's attorney, my ex-wife or husband. I even offered the officers, my ex-wife's telephone number. After the police officers read the documentation, they had some discussion amongst themselves and called their captain or lieutenant. The officers then told me that I was being arrested and had to go with them. At that point my wife questioned whether a warrant was needed to arrest me in my home, whereupon one of the officers told her, " We know how to do our job". I was escorted out of my home with a police officer at each side as my wife and step daughters were standing by and neighbors observed my being placed into the police car, where I was handcuffed. I was taken to the Harrison Police Station, wherein I was handcuffed to a wall, and left locked in a small cell for several hours, except for the few moments that I was fingerprinted. I remained in handcuffs at the station until after a number of hours when I was released and given a Desk Appearance Ticket and directed to appear at the Justice Court, Town of Harrison on Friday November 3, 2006.

As a result of the foregoing arrest, I appeared at the Harrison Town Court on November 3, 2006 and was arraigned on the charge of Criminal Contempt in the second degree for alleged violation of the "visitation" directives

in the October 19, 2006 Westchester Family Court Order. A copy of the misdemeanor complaint, which is annexed hereto as "Exhibit " 3", reads as follows:

A PERSON IS GUILTY OF CRIMINAL CONTEMPT IN THE SECOND DEGREE WHEN HE ENGAGES IN INTENTIONAL DISOBEDIENCE OR RESISTANCE TO THE LAWFUL PROCESS OR OTHER MANDATE OF A COURT EXCEPT IN CASES INVOLVING OR GROWING OUT OF LABOR DISPUTES AS DEFINED BY SUBDIVISION TWO OF SECTION TWO OF SECTION 753 OF THE JUDICIARY LAW,

TO WIT, THE ABOVE DEFENDANT DID VIOLATE WEST COUNTY FAMILY COURT DOCKET # O-13842/06 WHICH STATES THAT THE ABOVE DEFENDANT MUST RETURN HIS CHILDREN BY 830 PM AT THE END OF EACH VISIT, WHEN HE RETURNED THEM AT 8:50 PM

The most disturbing fact is that I immediately came to realize, which was confirmed by the Harrison police, that in as much as my ex-wife's husband was at the school on October 27, 2006, that had I returned the children to my ex-wife's home on Friday night at 8:30 P.M., I nevertheless would have been arrested for violating the same Temporary Order.

6. As a result of my arrest for Criminal Contempt in the Second

Degree, I was caused to retain counsel, for which I expended \$5,000.00 and appeared in Harrison Town Court for all told, for eight (8) court appearances until the Westchester District Attorney finally advised Judge Lust of the Harrison Town Court that they did not oppose the dismissal of the charges against me. On August 3, 2007 the charges against me were dismissed. A copy of a Certificate of Disposition, verifying dismissal of the criminal charges against me is annexed hereto as Exhibit "4" .

7. I initiated this law suit not only to recover the damages I suffered as a result of my false arrest, false imprisonment, malicious prosecution and violation of my civil rights, but in an effort to insure that no man in the future should suffer and have their rights disregarded because of their gender. It is beyond belief, that I was arrested for criminal contempt, despite the vagueness of a Family Court Temporary Order, and despite the overwhelming evidence available to the police, that there was no wilful violation of a Court Order. My arrest was compounded by the malicious prosecution of me for some nine (9) months. For a person, such as myself, who had never been arrested, the fact that I was paraded in front of neighbors and community members in front of my house and in front of my neighbors and children's friends and acquaintances in the Harrison Town Court was mortifying.

WHEREFORE, I respectfully request that the Defendants motion to
dismiss be denied in its entirety and that I be granted such other and further relief
as may be just and proper.


ALAN RHEINGOLD

Subscribed and sworn to before me
on March 26, 2008


Notary Public

STEVEN C. BERNSTEIN
Notary Public, State of New York
No. 24-4783200
Qualified in Kings County
Commission Expires March 30, 2011
April 1

Exhibit 1

F.C.A §§ 430, 550, 655, 828, 1029

ORI No: NY059023J

Order No: 2006-003579

NYSID No: _____

At a term of the Family Court of the State of New York,
held in and for the County of Westchester, at Courthouse
111 Dr. Martin Luther King Jr. Blvd., White Plains, NY
10601, on October 19, 2006

PRESENT: Honorable Sandra B. Edlitz

In the Matter of a FAMILY OFFENSE Proceeding

File # 101067

Docket# O-13842-06

Debra Gierszewski (DOB: 05/29/1966),

Petitioner,

O/B/O

Zoe Rheingold (DOB: 01/14/1996),

Sydney Rheingold (DOB: 12/16/1997),

- against -

Alan C Rheingold (DOB: 04/19/1961),

Respondent.

NOTICE OF ENTRY

PLEASE TAKE NOTICE that the within
is a true copy of an order entered in
the office of the Clerk of the Family
Court of the State of New York in the
County of Westchester.

Date: 10/19/06 H.K.

Chief Clerk of the Court

Order ☒ P-ATTY
Distributed ☒ A-ATTY
☐ DSS/SCU ☐ C-ATTY
☐ OTHER ☐ M

Temporary Order Of Protection

Ex Parte

NOTICE: YOUR FAILURE TO OBEY THIS ORDER MAY SUBJECT YOU TO MANDATORY ARREST AND
CRIMINAL PROSECUTION, WHICH MAY RESULT IN YOUR INCARCERATION FOR UP TO SEVEN YEARS
FOR CRIMINAL CONTEMPT, AND/OR MAY SUBJECT YOU TO FAMILY COURT PROSECUTION AND
INCARCERATION FOR UP TO SIX MONTHS FOR CONTEMPT OF COURT. IF YOU FAIL TO APPEAR IN
COURT WHEN YOU ARE REQUIRED TO DO SO, THIS ORDER MAY BE EXTENDED IN YOUR ABSENCE AND
CONTINUE IN EFFECT UNTIL YOU APPEAR IN COURT.

A petition under Article 8 of the Family Court Act, having been filed on October 19, 2006 in this Court and good cause
having been shown.

Now, therefore, it is hereby ordered that Alan C Rheingold (DOB: 04/19/1961) observe the following conditions of
behavior:

[01] Stay away from:

[A] Debra Gierszewski (DOB: 05/29/1966);

[B] the home of Debra Gierszewski (DOB: 05/29/1966) at 197 Woodside Ave., West Harrison, NY 10604
EXCEPT TO PICK UP AND DROP OFF THE CHILDREN CURB SIDE FOR VISITATION;

- [02] Refrain from assault, stalking, harassment, menacing, reckless endangerment, disorderly conduct, intimidation, threats or any criminal offense against Sydney Rheingold (DOB: 12/16/1997) and Zoe Rheingold (DOB: 01/14/1996);
- [99] Observe such other condition(s) as are necessary to further the purposes of protection: Alan C Rheingold (DOB: 04/19/1961). POLICE TO ASSIST IN THE SERVICE OF THIS ORDER.;
- [99] Observe such other condition(s) as are necessary to further the purposes of protection: Alan C Rheingold (DOB: 04/19/1961) THE RESPONDENT SHALL RETURN THE CHILDREN AT 8.30PM AT THE CONCLUSION OF EACH VISIT AND WILL HAVE OTHER VISITS AS ARRANGED. OVERNIGHT VISITATION IS SUSPENDED.;

It is further ordered that this Temporary Order Of Protection shall remain in effect up to and including December 14, 2006;

Dated: October 19, 2006

ENTER


Honorable Sandra B. Edlitz

The Family Court Act provides that presentation of a copy of this order of protection to any police officer or peace officer acting pursuant to his or her special duties shall authorize, and in some situations may require, such officer to arrest a person who is alleged to have violated its terms and to bring him or her before the court to face whatever penalties may be imposed therefor.

Federal law provides that this order must be honored and enforced by state and tribal courts, including courts of a state, the District of Columbia, a commonwealth, territory or possession of the United States, if it is established that the person against whom the order is sought has been or will be afforded reasonable notice and opportunity to be heard in accordance with state law sufficient to protect that person's rights (18 U.S.C. §§2265, 2266).

It is a federal offense to: cross state lines to violate an order of protection; cross state lines to engage in stalking, harassment or domestic violence against an intimate partner or family member; possess, purchase, ship, transfer or receive a handgun, rifle, shotgun, or other firearm or ammunition following a conviction of a domestic violence misdemeanor involving the use or attempted use of physical force or a deadly weapon; or (except for military or law enforcement officers while on duty) possess, purchase, ship, transfer or receive a handgun, rifle, shotgun or other firearm or ammunition while an order of protection, issued after notice and an opportunity to be heard, that protects an intimate partner against assault, harassment, threatening and/or stalking, remains in effect (18 U.S.C. §§922(g)(8), 922(g)(9), 2261, 2261A, 2262).

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE LAW GUARDIAN UPON THE APPELLANT, WHICHEVER IS EARLIEST.

Check applicable box:

- ☐ Personal service executed (specify date(s)): _____
- ☐ Order mailed on (specify date(s) and to whom mailed): _____
- ☐ Order received in court on (specify date(s) and to whom given): _____
- ☐ Warrant issued for Respondent (specify date): _____

Exhibit 2

10/27/2006 15:38 7182341938

URSULA A GANGEMI

PAGE 02/02

*Law Offices of
Ursula A. Gangemi, P.C.
1432 85th Street
Brooklyn, New York 11228
Telephone (718) 234-2244
Facsimile (718) 234-1938*

Ursula A. Gangemi

*John P. Gangemi
Of Counsel*

*Theresa A. Tortorici
Debra A. Scotti
Paralegals*

October 27, 2006

VIA FACSIMILE ONLY: #718-875-5797
Steven Bernstein, Esq.
189 Montague Street, Suite 303
Brooklyn, New York 11201

Re: Rheingold v. Rheingold

Dear Mr. Bernstein:

Please be advised that I have confirmed with my client that she will be dropping off the children's costumes at your client's residence at 6:30 pm and will pick the children up from the school at 8:30pm.

Very truly yours,

Ursula Gangemi
Ursula A. Gangemi, Esq.

UAG/das

cc: Robert Nicholson, Esq.

RECEIVED
2006 NOV 4 1 PM 3:27
JUNIOR COURT
HARRISON, N.Y.

PAGE 02/02

BERNSTEIN AND JUSTICE

718-875-5797 10:15 10/27/2006

Exhibit 3

THE PEOPLE OF THE STATE OF NEW YORK

-against-

RHEINOLD, ALAN L. (4/19/61)MISDEMEANOR11 LINCOLN AVEW. HARRISON NY

Defendant(s)

Be it known that the complainant herein P.O. PARRELLI #101 of the Harrison Police Department (or of _____) accuses the defendant(s) named above of the following offenses committed at 197 WOODSIDE AVE. IN HARRISON NY in the Town of Harrison, NY on the 27th day of OCTOBER, 2006 at about 2030 hours

COUNT ONE: The offense of CRIMINAL CONTEMPT in violation of section 215.50 subd. 2 of the penal law which is a violation, CLASS A misdemeanor or a _____ felony.

COUNT TWO: The offense of _____ in violation of section _____ subd. _____ of the penal law which is a violation, _____ misdemeanor or a _____ felony.

COUNT THREE: The offense of _____ in violation of section _____ subd. _____ of the penal law which is a violation, _____ misdemeanor or a _____ felony.

And, in support of the foregoing, your complainant under penalty of section 210.45 of the penal law states as follows:

A PERSON IS GUILTY OF CRIMINAL CONTEMPT IN THE SECOND DEGREE WHEN HE ENGAGES IN INTENTIONAL DISOBEDIENCE OR RESISTANCE TO THE LAWFUL PROCESS OR OTHER MANDATE OF A COURT EXCEPT IN CASES INVOLVING OR GROWING OUT OF LABOR DISPUTES AS DEFINED BY SUBDIVISION TWO OF SECTION 753 OF THE JUDICIARY LAW.

TO WIT: THE ABOVE DEFENDANT DID VIOLATE WEST COUNTY FAMILY COURT DECREE # 0-13542-06 WHICH STATES THAT THE ABOVE DEFENDANT MUST RETURN HIS CHILDREN BY 8:30 PM AT THE END OF EACH VISIT, WHEN HE RETURNED THEM AT 8:50 PM

The above allegations of fact are made by the complainant herein on direct knowledge (and upon information and belief), with the sources of complainant's information and the grounds for his belief being _____

NOTICE: PURSUANT TO THE PENAL LAW, SECTION 210.45, IT IS A CRIME PUNISHABLE AS A CLASS A MISDEMEANOR TO KNOWINGLY MAKE A FALSE STATEMENT HEREIN.

DATED

10/27/06

SIGNATURE

P.O. Parrelli #101

PRINTED

P.O. J. PARRELLI

Exhibit 4

CERTIFICATE OF DISPOSITION

STATE OF NEW YORK
WESTCHESTER COUNTY

HARRISON TOWN COURT
CRIMINAL PART

PEOPLE OF THE STATE OF NEW YORK

VS.

ALAN L. RHEINGOLD; Defendant

CASE NO: 06110159

Date of Birth: 04/19/1961
Date of Arrest: 10/27/2006
Disposition Date: 08/03/2007

JC501 no: 58507920H
NYSID no: 5642764L

Section Charged	Section Disposed	Ticket No & Description	Disposition	Fine	Civil-Fee	Surchg
PL 215.50	PL 215.50	CRIM CONTEMPT-2	Dismissed	0.00	0.00	0.00

Upon a proper request for an official statement of disposition, I certify that the above named defendant having appeared before this court was charged as shown above. Each of the charges was disposed of as indicated.

Dated: The 3rd day of August 2007


Hon. Marc J. [unclear]

NOTE: A copy of the request will be filed with this certificate in the case records.

CAUTION: This information must not be divulged if the case is sealed or where the defendant has been adjudicated a youthful offender.

Copies: ___ Court, / Defendant, ___ Agency, ___ DA

The grounds of my belief as to all matters not stated upon my own knowledge are as follows:

I affirm that the foregoing statements are true, under the penalties of perjury.

Dated:

STATE OF NEW YORK, COUNTY OF

The name signed must be printed beneath

I, the undersigned, being duly sworn, depose and say: I am
☐ Individual
in the action; I have read the foregoing

ss.:

Check Applicable Box

☐ Corporate
Verification

as to the matters therein stated to be alleged on information and belief, and as to those matters I believe it to be true.

corporation and a party in the within action; I have read the foregoing and know the contents thereof; and the same is true to my own knowledge except as to the matters therein stated to be alleged upon information and belief, and as to those matters I believe it to be true. This verification is made by me because the above party is a corporation and I am an officer thereof.

The grounds of my belief as to all matters not stated upon my own knowledge are as follows:

Sworn to before me on

The name signed must be printed beneath

STATE OF NEW YORK, COUNTY OF KINGS

ss.:

(If more than one box is checked—indicate after names type of service used.)

I, the undersigned, being sworn, say: I am not a party to the action, am over 18 years of age and reside at

Bellmore, NY

On March 29, 2008

I served the within PLAINTIFF'S AFFIDAVIT IN OPPOSITION and *

Check Applicable Box
☒ Service
By Mail
☐ Personal
Service on
Individual
☐ Service by
Electronic
Means
☒ Overnight
Delivery
Service

by mailing a copy to each of the following persons at the last known address set forth after each name below.
by delivering a true copy of each personally to each person named below at the address indicated. I knew each person served to be the person mentioned and described in said papers as a party therein.
by transmitting a copy to the following persons by ☐ FAX at the telephone number set forth after each name below ☐ E-MAIL at the E-Mail address set forth after each name below, which was designated by the attorney for such purpose, and by mailing a copy to the address set forth after each name.
by dispatching a copy by overnight delivery to each of the following persons at the last known address set forth after each name below.

* PLAINTIFF'S MEMORANDUM OF LAW

BY FEDERAL EXPRESS: Charles Horn, Esq.

Friedman, Harfenist, Langer & Kraut
Attorneys for Harrison Police Officer J. Parrello an
Town/Village of Harrison
3000 Marcus Avenue
Lake Success, NY 11042

BY REGULAR U.S. MAIL: Ursula A. Gangemi, PLLC.

Attorney for Deborah Gierszewski
7820 3rd Avenue
Brooklyn, NY 11209

Sworn to before me on March 29, 2008

Steven C. Bernstein

STEVEN C. BERNSTEIN
Notary Public, State of New York
No. 21-4783380
Qualified in Kings County
Commission Expires March 30, 2011

KENNETH JAPFE

The name signed must be printed beneath

NOTICE OF ENTRY

PLEASE take notice that the within is a (certified) true copy of a duly entered in the office of the clerk of the within named court on

Dated,

Yours, etc.

BERNSTEIN & JAFFE

Attorneys for

Office and Post Office Address
189 Montague Street
Suite 303
BROOKLYN, NY 11201

To

Attorney(s) for

NOTICE OF SETTLEMENT

PLEASE take notice that an order

of which the within is a true copy will be presented for settlement to the Hon.

one of the judges of the within named Court, at

on

M.

Dated,

Yours, etc.

BERNSTEIN & JAFFE

Attorneys for

Office and Post Office Address
189 Montague Street
Suite 303
BROOKLYN, NY 11201

To

Attorney(s) for

Index No. 08CV 0084 (WCC) Year
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ALAN RHEINGOLD,

Plaintiff,

-against-

HARRISON POLICE OFFICER J. PARRELO,
TOWN. VILLAGE OF HARRISON, DEBORAH
RHEINGOLD, a/k/a DEBORAH GIERSEZEWSKI,
Defendants

PLAINTIFF'S AFFIDAVIT IN
OPPOSITION

Signature of Plaintiff

Steven C. Bernstein

Print name beneath STEVEN C. BERNSTEIN, ESQ. (SCB0915)

BERNSTEIN & JAFFE

Attorneys for PLAINTIFF

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To

Attorney(s) for

Service of a copy of the within is hereby admitted.

Dated

Attorney(s) for